



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

DEC 10 2003

Food and Drug Administration
College Park, MD 20740

3/11/04jb

Sheryl A. Marcouiller
Senior Food Law Counsel
Kraft Foods North America, Inc.
Three Lakes Drive
Northfield, IL 60093

RE: Nutrient Content Claim Petition - (1) Carbohydrate Free; (2) Low Carbohydrate; (3) Reduced Carbohydrate; (4) Less Carbohydrate; (5) Excellent Source of Carbohydrate; and (6) Good Source of Carbohydrate.

Dear Ms. Marcouiller:

This letter acknowledges receipt on December 2, 2003, by the Food and Drug Administration (FDA) of your nutrient content claim petition, submitted pursuant to Section 403(r)(4)(A)(i) of the Federal Food, Drug, and Cosmetic Act (FFD&C Act) (21 U.S.C. 343(r)(4)(A)(i)) with respect to the level of the nutrient carbohydrate in food.

Your petition is currently undergoing initial FDA review. In accordance with Section 403(r)(4)(A)(i) of the FFD&C Act (21 U.S.C. 343(r)(4)(A)(i)) and 21 CFR 101.69(m), within 100 days of receipt of a petition, the petition will either be filed for comprehensive review or denied. A denial may be by either FDA action within the 100-day period, which ends on March 11, 2004, or by a lack of action by FDA within the initial 100-day period in which case the petition shall be deemed to be denied unless an extension is mutually agreed upon by FDA and the petitioner.

If you have any questions please feel free to contact Lisa Lubin of the Nutrition Programs and Labeling Staff at 301-436-1450.

Sincerely yours,

Lisa F. Lubin, MS, RD

Lisa F. Lubin, M.S., R.D.
Nutrition Programs and Labeling Staff
Office of Nutritional Products, Labeling
and Dietary Supplements
Center for Food Safety
and Applied Nutrition

2004P-0105

ACK1